APPENDIX C

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

Filed November 29, 1994

ORDER

A combined petition for rehearing and suggestion for rehearing in banc having been filed by the CROSS APPELLANT, and RESPONSES FROM MAY DEPARTMENT STORES and VENTURE STORES, ANSELL COMPANY, and KESSLER CONTAINERS having been invited by the court and filed by the APPELLANTS, and the petition for rehearing and responses having been referred to the panel that heard the appeal, and thereafter the suggestion for rehearing in banc and responses having been referred to the circuit judges who are in regular active service,

UPON CONSIDERATION THEREOF, it is

ORDERED that the petition for rehearing be, and the same hereby is, DENIED, and it is further

ORDERED that the suggestion for rehearing in banc be, and the same hereby is, DECLINED.

The mandate of the court will issue on December 6, 1994.

Dated: November 29, 1994

FOR THE COURT,
FRANCIS X. GINDHART,
CLERK

By: DIANE M. FRYE
Diane M. Frye
Chief Deputy Clerk

cc: Paul F. Kilmer
Berj A. Terzian
William K. West, Jr.
Jerome C. Simon

CONOPCO, INC V MAY DEPT STORES CO, 92-1412
(DCT-90-1475 C(3))

Note: Pursuant to Fed. Cir. R. 47.6, this order is not citable as precedent. It is a public record.

APPENDIX D

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